

524 Rec'd PCT/PTD 01 SEP 1999

09/380534 \$

Attorney Docket No: CTLI-001/02US  
C9015-2007



PATENT

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Date of Deposit: September 1, 1999

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Date: 1 September 1999 By: Vladimir Skliba

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of CTL Immunotherapies

Serial No.: Not Yet Assigned

Based on Int'l Appln. No.: PCT/US98/14289

Int'l Filing Date: July 10, 1998

For: **A METHOD OF INDUCING A CTL RESPONSE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

### TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE

International  
Application No.

Filing Date

Priority  
Claimed

PCT/US98/14289

July 10, 1998

Canada Appln. #2,209,815 filed 7/10/97  
U. S. Appln. #08/988,320 filed 12/10/97

Title of Invention: A Method of Inducing A CTL Response

Applicant(s): CTL ImmunoTherapies Corporation

Applicant herewith submits the following items under 35 USC 371:

1. ☒ This express request to immediately begin national examination procedures (35 USC 371(f)).

2. ☒ Basic National Fee (37 CFR 1.492(a)(1)-(5)):

- a. ☒ International preliminary examination fee paid to USPTO (37 CFR 1.492(a)(1)) (\$335.00).
- b. ☐ No international preliminary examination fee paid to USPTO but international search fee paid to USPTO (37 CFR 1.492(a)(2)) (\$380.00).
- c. ☐ Neither international preliminary examination fee nor international search fee paid to USPTO (37 CFR 1.492(a)(3)) (\$485.00).
- d. ☐ International preliminary examination fee paid to USPTO (37 CFR 1.492(a)(4)) and all claims satisfied provisions of PCT Article 33(1) to (4) (\$48.00).
- e. ☐ Neither international preliminary examination fee nor international search paid to USPTO but application filed with EPO or JPO search report (37 CFR 1.492(a)(5)) (\$420.00).

**Total Basic National Stage Fee**

**\$335.00**

3. ☒ Additional U.S. National Fee (35 USC 371(c)(1)) as follows:

FOR:	Claims Filed	Extra Claims <sup>1</sup>	Small Entity Rate	Fee	Other Than a Small Entity Rate	Fee	Total Filing Fee
Total Claims	38	-20=	18	\$9	\$18	\$324	\$324.00
Independent Claims	4	-3=	1	\$39	\$78	\$78	\$78.00
Multiple Dependent Claims Presented				\$130		\$260	\$0.00
<b>TOTAL</b>							<b>\$402.00</b>

<sup>1</sup> If difference is negative, enter "0".

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4. ☐ Other fees as follows:

- a. ☐ Surcharge for furnishing the oath or declaration later than 20 months from any claimed priority date or later than 30 months and International Preliminary Examination was properly requested (37 CFR 1.492(e)).

☐ \$65.00 for a small entity

☐ \$130.00 for other than a small entity

- b. ☐ Processing fee of \$130.00 for furnishing the English Translation later than 20/30 months from any claimed priority date (37 CFR 1.492(f)).

**Total Other Fees**

**\$0.00**

**TOTAL FEES**

**\$737.00**

5. ☒ Payment of Fees

- a. ☒ A check in the amount of \$737.00 to cover the above fees is enclosed.

- b. ☐ Fees will be paid at a later time.

- c. ☒ The Commissioner is hereby authorized to charge underpayment of required fees under 37 CFR 1.16, 37 CFR 1.17, or 37 CFR 1.492 associated with this communication or to credit any overpayment to Deposit Account No. 03-3117.

6. ☒ A copy of the International application (35 USC 371(c)(2)):

- a. ☐ is transmitted herewith.

- b. ☒ is not required as the application was filed with the United States Receiving Office.

- c. ☐ has also been transmitted by the International Bureau. Date of mailing of the application (from form PCT/IB/308):

- d. ☐ has been transmitted by applicant on .

7. ☐ A translation of the International application into the English language (35 USC 371(c)(2)):

- a. ☒ is not required as the application was filed in English.
- b. ☐ is transmitted herewith.
- c. ☐ was previously transmitted by applicant on

8. ☒ Amendments to the claims of the International application under PCT Article 19 (35 USC 371(c)(3)):

- a. ☐ are transmitted herewith.
- b. ☐ have been transmitted.
  - (i) ☐ by the International Bureau. Date of mailing of the application: .
  - (ii) ☐ by applicant on .
- c. ☒ have not been transmitted as
  - (i) ☐ no notification has been received that the International Search Authority has received the Search Copy.
  - (ii) ☐ the Search Copy was received by the International Searching Authority but the Search Report has not yet been issued. Date of Receipt of Search Copy (from form PCT/ISA/202):
  - (iii) ☒ applicant chose not to make amendments under PCT Article 19. Date of mailing of Search Report (from form PCT/ISA/220): March 4, 1998.
  - (iv) ☐ ~~the time limit for the submission of amendments has not yet~~ expired. The amendments or a statement that amendments have not been made will be transmitted before the expiration of the time limit under PCT Rule 46.1.

9. ☒ A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)):

- a. ☐ is transmitted herewith.
- b. ☐ is not required as the amendments were made in the English language.
- c. ☒ has not been transmitted for reasons indicated at point 8.c. above.

10. ☒ Amendments to the claims of the International application under PCT Article 34:

- a. ☐ are transmitted herewith. Such amendments are dated April 28, 1998 and December 1, 1998.
- b. ☐ have been transmitted.
- (i) ☐ by the International Bureau. Date of mailing of the application: .
- (ii) ☐ by applicant on .
- c. ☒ have not been transmitted as
- (i) ☐ no notification has been received that the International Search Authority has received the Search Copy.
- (ii) ☐ the Search Copy was received by the International Searching Authority but the Search Report has not yet been issued. Date of Receipt of Search Copy (from form PCT/ISA/202):
- (iii) ☒ applicant chose not to make amendments under PCT Article 34. Date of mailing of Search Report (from forms PCT/ISA/210 and PCT/ISA/220): March 29, 1999.
- (iv) ☐ the time limit for the submission of amendments has not yet expired. The amendments or a statement that amendments have not been made will be transmitted before the expiration of the time limit under PCT Rule 46.1.

11. ☒ A translation of the amendments to the claims under PCT Article 34:

- a. ☐ is transmitted herewith.
- b. ☐ is not required as the amendments were made in the English language.
- c. ☒ has not been transmitted for reasons indicated at point 10.c. above.

12. ☒ An executed oath or declaration of the inventor (35 USC 371(c)(4)) complying with 35 USC 115:

- a. ☐ was previously submitted by applicant on .
- b. ☒ is submitted herewith and such oath or declaration
- (i) ☐ is attached to the application.

(ii) ☒ identifies the application and any amendments under PCT Article 34 which were transmitted as stated above.

13. ☒ An International Search Report or Declaration under PCT Article 17(2)(a):

- a. ☒ is transmitted herewith.
- b. ☐ has been transmitted by the International Bureau. Date of mailing (from form PCT/IB/308):
- c. ☐ is not required as the application was searched by the United States International Searching Authority.
- d. ☐ will be transmitted promptly upon request.
- e. ☐ has been submitted by applicant on .
- f. ☐ is not transmitted as the international search has not yet issued.

14. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98:

- a. ☐ is transmitted herewith.
- b. ☐ will be transmitted within THREE MONTHS of the date of submission of requirements under 35 USC 371(c).
- c. ☐ was previously submitted by applicant on .

15. ☐ A Verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27:

- a. ☐ is transmitted herewith.
- b. ☐ has been submitted by applicant on .

16. ☒ The above checked items are being transmitted:

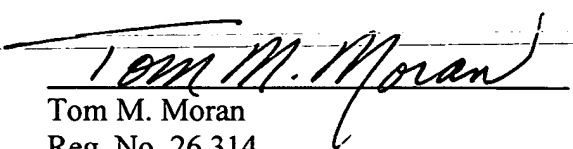
- a. ☐ before the publication of the international application.
- b. ☐ after publication and the Article 20 communication but before 20 months from the priority date.
- c. ☐ after 20 months but before 22 months (surcharge and/or processing fee included).

- d. ☐ after 22 months (surcharge and/or processing fee included).
  - e. ☒ by 30 months and a proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  - f. ☐ after 30 months but before 32 months (surcharge and/or processing fee included) and International Preliminary Examination was properly requested.
  - g. ☐ after 32 months (surcharge and/or processing fee included).
17. ☐ Certain requirements under 35 USC 371 were previously submitted by the applicant on namely:
18. ☒ Other document(s) or information included:
- a. ☐ Unexecuted Declaration and Power of Attorney.
  - b. ☐ Preliminary Amendment.
  - c. ☒ Postcard Receipt.
  - d. ☒ Associate Power of Attorney.
  - e. ☒ Instructions for Future Communication.

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Respectfully submitted,  
COOLEY GODWARD LLP

By:

  
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Attorney Docket No: CTLI-001/02US  
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Date: 1 Sep 99By: Vladimir Skliba  
VLADIMIR SKLIBA**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Assistant Commissioner for Patents  
Washington, D.C. 20231

**INSTRUCTIONS FOR FUTURE COMMUNICATIONS**

The Assistant Commissioner for Patents is hereby instructed to forward all future correspondence regarding the patent application filed hereby, which application is based on PCT International Application No. PCT/US98/14289, to:

Don J. Pelto, U.S. Reg. No. 33,754

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Respectfully submitted,  
COOLEY GODWARD LLP

By: Tom M. Moran

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